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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 NVOYE WENDELL JORDAN,

Case No. 2:18-cv-00159-JCM-PAL

8 Plaintiff,

9 v.

ORDER

10 STEVEN B. WOLFSON, et al.,

(Mot. Filing Fees – ECF No. 9)

11 Defendants.

12 This matter is before the court on pro se Plaintiff Nvoye Wendell Jordan's Motion to Stop
13 Filing Fees (ECF No. 9) and Motion to Extend Time (ECF No. 10). These motions are referred to
14 the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 and 1-7 of the Local Rules
15 of Practice.

16 Mr. Jordan is a pro se prisoner currently in the custody of the Nevada Department of
17 Corrections ("NDOC") and incarcerated at High Desert State Prison. He has received permission
18 to proceed *in forma pauperis* ("IFP") in this case. See Order (ECF No. 4). Based on his financial
19 affidavit and inmate account statements, the court ordered Jordan to pay an initial partial filing fee
20 of \$42.13 towards the total filing fee of \$350.¹ *Id.* At the time, Jordan was a pretrial detainee at
21 the Clark County Detention Center. The order instructed the jail:

22 6. Beginning the month following Mr. Jordan's payment of the initial partial filing
23 fee, the Clark County Detention Center ("CCDC") shall forward to the Clerk of the
24 United States District Court, District of Nevada, twenty percent (20%) of the
preceding month's deposits to Mr. Jordan's account (in the months that the account
exceeds \$10.00) until the full \$350 filing fee has been paid for this action pursuant
to 28 U.S.C. § 1915(b)(2).

25 ...

26 b. If Mr. Jordan should be transferred into the custody of the Nevada

27 ¹ Pursuant to the court's Schedule of Fees, the \$50 administrative fee does not apply to prisoners granted
28 IFP status under 28 U.S.C. § 1915. Thus, prisoners granted IFP status are only required to pay the \$350
base fee.

1 Department of Corrections, the CCDC Accounting Supervisor is directed to
2 send a copy of this Order to the attention of the Chief of Inmate Services for the
3 Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702,
and indicate the amount that Mr. Jordan has paid towards his filing fee so that
funds may continue to be deducted from his account.

4 *Id.* at 3. Jordan paid the initial partial filing fee of \$42.13 in February 2018. Receipt (ECF No. 5).
5 He paid the remaining balance of \$307.87 in March 2018. Receipt (ECF No. 6). Shortly thereafter,
6 he was transferred to High Desert State Prison. Notice of Change of Address (ECF No. 7).

7 Jordan's motion indicates that money is still being deducted from his inmate account to
8 pay the filing fee in this case, even though the full filing fee has been paid. He requests an order
9 stopping the deductions and refunding the overpayment.

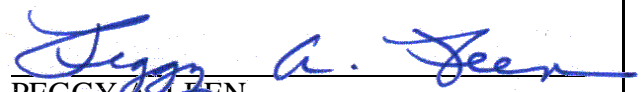
10 The court contacted its financial department and verified that two payments of \$10 each
11 (\$20 total) were received in September and November 2018 after Jordan was transferred to High
12 Desert State Prison. Jordan's \$350 filing fee was paid in full before he was transferred. Thus, the
13 court's financial department will issue Jordan a refund check of \$20. A copy of this order will be
14 sent to NDOC to advise that Jordan's filing fee in this case is paid in full.²

15 Accordingly,

16 **IT IS ORDERED:**

- 17 1. Plaintiff Nvoya Wendell Jordan's Motion to Stop Filing Fees (ECF No. 9) is
18 **GRANTED** to the extent that this order confirms that Jordan's filing fee of \$350 in
19 this case was **paid in full** on March 23, 2018.
- 20 2. The court's financial department will issue Jordan a refund check of \$20.
- 21 3. The Clerk of Court shall MAIL a copy of this Order to the Chief of Inmate Services for
22 the Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702.

23 Dated this 16th day of April, 2018.

24
25 
26 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

27 _____
28 ² This order only applies to the current civil action. If Jordan commences a new case, he must file a new
IFP application and he will be responsible for paying another filing fee.